

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KAREN TATUM,

Plaintiff,

VS.

NORTH AMERICA CENTRAL
SCHOOL BUS LLC,

Defendant.

Case No. 4:23 CV 1219 RWS

MEMORANDUM AND ORDER

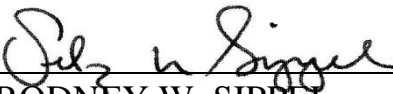
This matter is before the Court on the motion for an extension of time to answer the complaint filed by newly-joined defendant Laborer's International Union of North America Local 773. ECF 92. According to the motion, the Union was served on November 25, 2024, although the return of service does not yet appear in the file. Therefore, absent an extension of time, the Union's answer to plaintiff's second amended complaint would be due on December 16, 2024.

Because the time to file the answer has not yet expired, the Federal Rules of Civil Procedure permit the Court to extend the time “with or **without** motion or **notice** if the court acts, or if a request is made, before the original time or its extension expired.” Fed. R. Civ. P. 6(b)(1)(A) (emphasis supplied). Therefore, the Court is not obligated to wait for a response from plaintiff before granting the motion. Nevertheless, given that the plaintiff has recently represented to the Court

that she would be out of town and was therefore seeking a stay of this case for an unspecified length of time (ECF 89), the Court concludes that plaintiff will not be prejudiced if the motion for extension of time is granted.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion for extension of time [92] is granted, and defendant Laborer's International Union of North America Local 773 shall file its responsive pleading to the Second Amended Complaint no later than January 15, 2025.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 5th day of December, 2024.